



CONGRESSIONAL HISPANIC CAUCUS

Joaquin Castro | Chairman

116TH CONGRESS

April 29, 2020

Honorable Sonny Perdue
Secretary
Department of Agriculture
1400 Independence Ave.,
S.W.
Washington, DC 20250

Honorable Eugene Scalia
Secretary
Department of Labor
200 Constitution Ave., N.W.
Washington, DC 20210

Honorable Alex Azar
Secretary
Department of Health and
Human Services
330 C St SW,
Washington, DC 20416

Dear Secretary Perdue, Secretary Scalia, Secretary Azar:

Throughout the time of the COVID-19 health crisis, it is imperative that our agriculture industry is protected, effective, and efficient in order to ensure that everyone is able to receive the food they need every day. While most Americans have stepped away from the public sphere in order to stay safe at home, food processing workers must continue to work tirelessly to ensure that every American family still has the food they need for every meal. Members in the House of Representatives have been working tirelessly to ensure that agriculture workers as well as other essential workers are given the proper protective gear that they need to keep doing their job in a safe and healthy manner.

However, as we work to help bring stronger protections to every worker, especially essential workers during this public health crisis, President Trump's executive order on Tuesday, April 28, ordering meat production plants to remain open to head off a food supply shortage, is leaving meatpacking employees at high risk.¹ Numerous companies across the meatpacking industry have not taken the necessary precautions they need to protect workers. While some

¹ https://www.washingtonpost.com/business/2020/04/28/trump-meat-plants-dpa/?pwap_token=eyJ0eXAiOiJKV1QiLCJhbGciOiJIUzI1NiJ9.eyJjb29raWVudWV1Ijoid3BfY3J0aWQiLCJpc3MiOiJ0eXJ0YSIsImNvb2tpZXZhbHVlIjoiaWNTIiZTBIMDIhZGU0ZTI1MmFhY2EzYmRjIiwidGF0eXNldj03BfbmV3c19hbGVydF9yZXZlcmUiLCJ1cmwiOiJodHRwczovL3d3dy53YXNoaW5ndG9ucG9zdC5jb20vYnVzaW5lc3MvMjAyMC8wNC8yOC90cnVtcC1tZWFOlXBsYW50cy1kcGEvP3dwbW5s9MSZ3cGlzcmM9YWxfbmV3c19fYWxlcQQtZWVbm9teS0tYWxlcQQtbmF0aW9uYWwmdXRtX3NvdXJjZT1hbGVydCZ1dG1fbWVkaXVtPWVtYWIsJnV0bV9jYW1wYWlnbj13cF9uZXdzX2F5ZXJ0X3JldmVvZSJ9.iHW_lxMi1L6WtgL-v0-8qr0TNFuumc7EKKOzVFfn1pWs&utm_campaign=wp_news_alert_revere&utm_medium=email&utm_source=alert&wpisrc=al_news__alert-economy--alert-national&wpmk=1

companies were early actors in providing personal protective equipment, the callous inaction of others has reportedly led to multiple deaths and thousands of sick workers, as well as the death of two inspectors from the Department of Agriculture.² As companies continue operations, it is not only important for agencies to be diligent in issuing guidance but they must mandate that meatpacking companies protect their employees.

Our nation must come together to ensure that we protect both the food supply chain and employees. If not, we will run the risk of meat, poultry, seafood, and processed eggs becoming scarce within a period of two to four weeks.³ The safety of all workers in the food processing industry is vital for the well-being of our nation. Over the past few weeks, we have seen extremely worrying numbers of deaths, illness, and closing processing plants.

- Smithfield's pork processing plant at Sioux Falls, South Dakota, - 644 confirmed cases of COVID-19 tied to the facility, which represents nearly half of all confirmed cases in that state.⁴
- Patrick Cudahy factory, in Cudahy, Wisconsin – at least 28 confirmed cases of COVID-19 and the facility has closed down for cleaning⁵
- Rose Packing factory in Chicago, Illinois – at least 21 confirmed cases of COVID-19⁶
- Patrick Cudahy facility in Martin City, MO – at least 1 confirmed case of COVID-19 and the facility has closed for two weeks⁷
- Tyson Foods in Shelby County, Texas – at least 14 confirmed cases of COVID-19 and two deaths tied to the facility⁸
- And across the United States, there have been at least 4,400 confirmed cases of COVID-19 tied to meatpacking facilities at 80 plants in 26 states, and at least 18 reported worker deaths at 9 plants in 9 states⁹

It has long been known that meat processing jobs are some of the most dangerous in the nation. Workers struggle through long hours under stressful and hazardous conditions. For example, meat processing workers are exposed to biological agents, even some that are resistant to antibiotics, they are at increased risk of lung cancer,¹⁰ and meatpacking workers face illness

² <https://subscriber.politicopro.com/agriculture/whiteboard/2020/04/2nd-fsis-inspector-dies-from-coronavirus-3979747>

³ <https://civileats.com/2020/04/17/poor-conditions-at-meatpacking-plants-have-long-put-workers-at-risk-the-pandemic-makes-it-much-worse/>

⁴ <https://theintercept.com/2020/04/19/smithfield-foods-wisconsin-coronavirus/>

⁵ <https://theintercept.com/2020/04/19/smithfield-foods-wisconsin-coronavirus/>

⁶ <https://abc7chicago.com/rose-packing-meat-packaging-plant-outbreak-coronavirus-food/6114075/>

⁷ <https://www.cbs58.com/news/patrick-cudahy-plant-closing-for-2-weeks-after-number-of-employees-test-positive-for-virus>

⁸ <https://www.texastribune.org/2020/04/21/texas-investigating-meat-processing-plants-over-coronavirus-outbreaks/>

⁹ <https://investigatemitwest.org/2020/04/16/tracking-covid-19s-impact-on-meatpacking-workers-and-industry/amp/>

¹⁰ https://www.osha.gov/SLTC/meatpacking/hazards_solutions.html

rates at 17 times the rate of other industries.¹¹ According to OSHA’s safe work practices, these workers should have already been provided appropriate personal protective equipment (PPE), including waterproof gloves, facemasks, and goggles, and numerous companies have failed to provide any type of facemasks even during a health crisis.¹² COVID-19 has brought to light the hazardous and life-threatening conditions that meat processing workers are exposed to everyday.

Meat processing companies only recently started taking the precautionary steps needed to protect employees after COVID-19 started spreading in their facilities, leaving our nation at dire risk of a disrupted food chain. If too many essential meatpacking workers become infected with COVID-19, thousands to millions of people could be without food in the future. Many of these billion-dollar companies that employ tens of thousands of workers are not properly informing their workers (who speak about 30 different languages) about the virus or its presence at the plant and many are choosing to not institute protective measures until after workers have become ill.¹³

Additionally, Smithfield Foods’ website published a statement from their CEO, stating, “The closure of this facility, combined with a growing list of other protein plants that have shuttered across our industry, is pushing our country perilously close to the edge in terms of our meat supply . . . We have a stark choice as a nation: we are either going to produce food or not, even in the face of COVID-19.” Yet contrary to what Smithfield Foods’ CEO believes, our nation’s food supply is not a zero-sum game. Healthy and safe environments as well as protective gear must be provided at all times, especially in a public health crisis. Otherwise, we will not even have the choice to produce any food at all.

We request that you conduct an investigation into the pervasiveness and consequential effects that the working conditions for meat processing workers during COVID-19 have had on workers’ wellbeing and our nation’s food supply. However, while an investigation is critical to better understand the problems in the meatpacking industry and possible solutions, it is imperative that the Department of Labor immediately issue an emergency temporary standard to protect essential workers. The Centers for Disease Control and Prevention issued specific recommendations on April 22, 2020 to reduce COVID-19 transmission at the Smithfield Foods Sioux Falls Pork Plant¹⁴ that all meatpacking facilities should abide by during this public health crisis.

¹¹ <https://www.bls.gov/iif/>

¹² https://www.osha.gov/SLTC/meatpacking/hazards_solutions.html

¹³ <https://civileats.com/2020/04/17/poor-conditions-at-meatpacking-plants-have-long-put-workers-at-risk-the-pandemic-makes-it-much-worse/>

¹⁴ https://covid.sd.gov/docs/smithfield_rec.pdf

As our country continues to practice social distancing across the country and essential workers, like meatpacking workers, are needed at factories, the United States Department of Agriculture, the United States Department of Labor, and the Department of Health and Human Services must remain diligent in ensuring every essential worker's safety. Without workers' heroic presence amid the COVID-19 outbreak, our nation will crumble.

Thank you for your attention to this immediate request. We look forward to hearing from you within the next two weeks. If you have any questions regarding this request, please contact Kaitlyn Montan at Kaitlyn.Montan@mail.house.gov.

Sincerely,

Joaquin Castro
CHC Chair

Ruben Gallego
CHC First Vice Chair

Nanette Diaz Barragán
CHC Second Vice Chair

Adriano Espaillat
CHC Whip

Veronica Escobar
CHC Freshman Representative

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Gregorio Kilili Camacho Sablan
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Nydia M. Velazquez
Member of Congress

Jesus "Chuy" Garcia
Member of Congress

Lou Correa
Member of Congress

Sylvia R. Garcia
Member of Congress

Raul Grijalva
Member of Congress

Cc: Centers for Disease Control and Prevention